

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Case No: [17-cv-06748-WHO](#)Case Name: Di-azv. Tesla, Inc.

TRIAL SHEET, EXHIBIT and WITNESS LIST

JUDGE:	PLAINTIFF ATTORNEYS:	DEFENSE ATTORNEYS:
William H. Orrick	Bernard Alexander, Larry Organ, and Cimone Nunley	Tracy Kennedy, Patricia Jeng, and Susan Haines
TRIAL DATE: 9/30/2021	REPORTER:	CLERK:
TIME: 5 hrs, 13 mins 8:02 a.m. to 1:15 p.m.	Debra Pas	Jean Davis

PLF NO.	DEF NO.	TIME OFFERED	ID	REC	DESCRIPTION	PLF TIME	DEF TIME
		8:02 a.m.			Proposed instruction on persons most knowledgeable will be given. Proposed discovery responses to be incorporated in the record reviewed and discussed. Anticipated witnesses and exhibits for the day discussed.		
		8:23 a.m.			Court in recess		
		8:32 a.m.			Court in session (jurors preset) Defense cross examination of Owen Diaz continues (Kennedy)		24
	204	8:33 a.m.	X	X	Owen Diaz Job Application to CitiStaff, 6-2-2015; Admitted without objection		
	265	8:39 a.m.	X	X	Email re Resume, 12-15-2015 and resume of Lamar Patterson; Admitted w/out objection		
		8:42 a.m.			Examination suspended to address technical issues		
		8:44 a.m.			Defense cross examination of Owen Diaz continues (Kennedy)		
		8:58 a.m.			Plaintiff redirect of Owen Diaz (Organ)	4	
		9:02 a.m.			Witness excused		
		9:03 a.m.			Plaintiff direct examination of Anthony Edward Redding (Alexander)	29	
		9:10 a.m.			Witness proffered as an expert without objection		
		9:32 a.m.			Defense cross examination of Anthony Edward Redding (Kennedy)		23
		9:55 a.m.			Plaintiff redirect of Anthony Edward Redding (Alexander)	4	
		9:59 a.m.			Witness excused; Jurors excused		
		10:00 a.m.			Court in session (jury out). Plaintiff raises issue as to Marconi designations, which is discussed and determined.		

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PLF NO.	DEF NO.	DATE/TIME OFFERED	ID	REC	DESCRIPTION	PLF TIME	DEF TIME
		10:04 a.m.			Court in recess		
		10:18 a.m.			Court in session (jurors out) Additional objection to Marconi designations is overruled. Evidence regarding fiscal information for 2021 will be excluded due to improper notice.		
		10:25 a.m.			Court in session (jurors present)		
		10:26 a.m.			Plaintiff direct examination of LaDrea Jones (Nunley)	13	
		10:39 a.m.			Defense cross examination of LaDrea Jones (Kennedy)		5
		10:44 a.m.			Plaintiff waives redirect; witness excused		
		10:45 a.m.			The Court instructs jurors as to video deposition		
		10:46 a.m.			Testimony of Erin Marconi presented by way of video deposition	26	4
		11:11 a.m.			Exhibit 34 offered; determined to be a duplicate of Exhibit 284, which has been admitted		
		11:18 a.m.			Court in recess to prepare for witness appearing via Zoom		
		11:37 a.m.			Court in session (jury out) Proper scope of demonstrative discussed; Counsel directed to confer in an effort to clarify any objectional information.		
		11:40 a.m.			Court in recess		
		11:42 a.m.			Court in session (jury out). Defense withdraws its objection to the demonstrative		
		11:44 a.m.			Court in session (jury present)		
		11:45 a.m.			Plaintiff direct examination of Amy Oppenheimer (Organ)	30	
		11:53 a.m.			Witness proffered as a witness without objection		
		12:15 p.m.			Defense cross examination of Amy Oppenheimer (Kennedy)		27
		12:42 p.m.			Plaintiff redirect of Amy Oppenheimer (Organ)	6	
		12:48 p.m.			Plaintiff direct examination of Charles "Chip" Mahla (Organ)	9	

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PLF NO.	DEF NO.	DATE/TIME OFFERED	ID	REC	DESCRIPTION	PLF TIME	DEF TIME
		12:57 p.m.			Defense cross examination of Charles “Chip” Mahla (Kennedy)		3
6		1:00 p.m.		X	TESLA Anti-Handbook Handbook; Admitted by stipulation	1	
		1:01 p.m.			The Court instructs jurors regarding deposition excerpts		
		1:03 p.m.			Discovery excerpts read into the record (Alexander)	6	
		1:09 p.m.			Plaintiff requests suspension of its case in chief for the balance of the day		
		1:11 p.m.			Jurors excused		
		1:12 p.m.			Timing of remaining proceedings discussed		
		1:15 p.m.			Court in recess		

Plaintiff Time at start of trial day: 4 hours, 44 minutes
Time Used by Plaintiff 9/30/2021: 2 hours, 8 minutes
Remaining Plaintiff Time: 2 hours, 36 minutes

Defendant Time at start of trial day: 7 hours, 40 minutes
Time Used by Defendant 9/30/2021: 1 hour, 26 minutes
Remaining Defendant Time: 6 hours, 14 minutes